

REMARKS

Applicants have carefully studied the outstanding Office Action. The present amendment is intended to be fully responsive to all points of rejection and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the present application are hereby respectfully requested.

Related application information has been amended, confirming that the present application is a continuation of U.S. Patent 6,665,676 of Twig et al. and adding explicit reference to an Israeli priority application. No new matter has been added.

Claims 3 - 24 are pending in the present application before the present response.

New claims 25 - 31 have been added.

With reference to remarks regarding Double Patenting, rejecting claim 1 of the present application as being unpatentable over claim 17 of U.S. Patent 6,665,676 to Twig et al., Applicants respectfully point out that claim 1 of the present application has been cancelled.

Claim 3 was rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter, the claim merely executing a software application to present abstract data or image without using any tangible or physical device. The preamble of claim 3 has been amended to specify the nature of the computer system more clearly and to conform the claims to more conventional stored-computer-program (*Beauregard*) format. Unnecessary preamble language has been removed or transferred to the body of the claim. The amendment to claim 3 is supported, *inter alia*, by Fig. 8 and the description thereof in the last paragraph in page 18 of the specification. Claim 3 specifies a computer-readable storage device, which is a tangible device, storing a computer program that operates (when executed) as specified. The amendments broaden claim 3 from a "server" to any sort of "computer-readable storage device."

The rejection under 35 U.S.C. §101 should therefore be withdrawn.

Claim 3 was rejected under 35 U.S.C. §112(1) as being indefinite, with the explanation that the claim failed to provide actual steps to perform or limit the claim to a particular structure. With the amendments to the preamble to clarify the nature of

the invention to overcome the §101 rejection, this rejection is believed mooted as well. The computer program is intended to include each of the "wherein" clauses as positive limitations to the structure being claimed. With regard to the citation of the *Markman* case, Applicants' specification describes computerized techniques, well within the level of skill of the ordinarily skilled artisan, to implement the claimed invention.

The rejection under 35 U.S.C. §112(1) should therefore be withdrawn.

Claim 3 was rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Published Patent Application 2005/0165766 to Szabo. As an initial matter, Szabo's published application is filed March 4, 2005, as a continuation of a parent application filed May 26, 2000, now U.S. Patent 6,868,525. That application does not predate Applicant's May 18, 2000, Israeli priority date. However, Szabo's application has a provisional application, SN 60/179,577, filed February 1, 2000, which does predate Applicants' priority date. Accordingly, to maintain a rejection under 35 U.S.C. §102(e), the Office has the burden of showing the existence of anticipating disclosure in *Szabo's provisional application* that has been *carried forward* to Szabo's patent or published application. The Office Action does not make such a showing, thus the rejection should be withdrawn for that reason alone.

In any event, the cited Szabo publication does not anticipate the invention defined in claim 3. Szabo describes an improved human user computer interface system, providing a graphic representation of a hierarchy populated with naturally classified objects, having included therein at least one associated object having a distinct classification. Preferably, a collaborative filter is employed to define the appropriate associated object. The associated object preferably comprises a sponsored object, generating a subsidy or revenue.

Applicants have carefully studied Szabo and find that Szabo does not describe or suggest a *geographical map* as recited in amended claim 3. Rather, as outlined above, it teaches an object hierarchy. Because an object hierarchy does not show geographical relationships between the objects it depicts, it cannot therefore qualify as a geographical map. The rejection under 35 U.S.C. §102(e) should therefore be withdrawn.

The Office Action rejected dependent claims 4-18 under 35 U.S.C. §101, 112, and 102(e) as having the same defects as their base claim. Corresponding amendments to the preamble have been made to those dependent claims, making them allowable for the same reasons as independent claim 3.

Claims 6 and 15 were additionally rejected under U.S.C. §112 for use of the phrase "and/or," which is stated to lead to more than one interpretation of the claimed limitation, rendering the claim indefinite. Those claims have been amended by removal of the "and/or" clause, thereby overcoming the additional rejections under 35 U.S.C. §112.

Independent claim 19 and its dependent claims 20-23 have been rejected for reasons parallel to the rejections applicable to claim 3 and have been amended similarly to claim 3. Applicants have elected to include further detail on the "levels of visibility" in claim 19, to provide an additional distinction from claim 3 but not for any reason of patentability.

Claim 24 has been cancelled without prejudice.

New claim 25 corresponds to previously filed claim 6, claiming the alternative interpretation of the claimed limitations of previously filed claim 6.

New claims 26 and 27 correspond to previously filed claim 15, claiming the alternative interpretations of the claimed limitations of previously filed claim 15.

New claims 28 and 29 correspond to previously filed claim 21, claiming the alternative interpretations of the claimed limitations of previously filed claim 21.

New method claim 30 has been added, which is believed consonant with the invention defined by the previously pending claims.

Claim 30 is supported, *inter alia*, by: Fig. 10 and the description thereof in the specification, especially the last paragraph of page 20, up to the end of the first paragraph of page 21 of the specification; the first paragraph of page 22; Fig. 12 and the second paragraph of the description thereof in page 24 of the specification; and Fig. 17 and the description thereof in the specification, especially the first paragraph of page 29.

New claim 31 depends from claim 30, and is supported similarly. In addition, claim 31 is supported, *inter alia*, by: the last paragraph of page 20, up to the end of

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the first paragraph of page 21, of the specification; and page 27, lines 6 to 23, of the specification.

The new claims seem distinct from Szabo for the same reasons described above. Applicants believe that all claims are distinct from the references of record and allowable.

In view of the foregoing remarks, it is respectfully submitted that the present application is now in condition for allowance. Favorable reconsideration and allowance of the present application are respectfully requested.

Respectfully submitted,



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Enclosures:

Petition for Extension (3 Months)
Amendment Claim Transmittal